

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                 )                           4:05CR3099  
                                  )  
v.                            )  
                                  )  
MICHAEL C. ELMA,            )                           ORDER  
                                  )  
Defendant.                 )  
                                  )

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IT IS ORDERED:

1. Defendant Elma's unopposed motion to continue time for filing pretrial motions, filing 30, is granted and this defendant's pretrial motions and briefs shall be filed on or before December 9, 2005.

2. The ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendants in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between November 17, 2005 and December 9, 2005 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 16<sup>th</sup> day of November, 2005.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge